

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SHANE DAVID RISJAN,

Petitioner

v.

JOHN WETZEL, et al.,

Respondents.

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CIVIL ACTION NO. 3:15-CV-268

(JUDGE MARIANI)

(Magistrate Judge Mehalchick)


ORDER

AND NOW, THIS 15th DAY OF JULY 2019, upon consideration of

Magistrate Judge Mehalchick's R&R (Doc. 29) recommending dismissal of Petitioner's §
2254 Petition with prejudice, for the reasons discussed in the simultaneously filed

Memorandum Opinion, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 29) is **NOT ADOPTED**;
2. The 28 U.S.C. § 2254 Petition (Doc. 1) is **GRANTED** to the extent that the
Commonwealth of Pennsylvania is directed to release Petitioner within ninety (90)
days unless the Commonwealth reinstates Petitioner's appeal rights *nunc pro tunc*.



Robert D. Mariani
United States District Judge